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FROM: GREG FOWLER

DATE: SEPTEMBER 17, 1993.

REF: A:BRCPRO.GLF3 PAGE 1 OF 12

SUBJECT: BURSWOOD RESORT CASINO PROSECUTION

I am pleased to report that the Western Australian court dismissed the Health Department's ETS-based claims against Burswood Casino.

Attached is the TIA's Press Release and the court's Reasons for Decision. The court stated its conclusion as follows:

> Whilst ETS is annoying and of discomfort to non smokers it has not been proved at the required standard, or at all, in this prosecution, that it is a risk to the health of the employees at the Casino.

At pages 8-9 of the Reasons, the Court considered but rejected the EPA Risk Assessment's "conclusion" on ETS and respiratory illness.

Regards,

for GREGORY L. FOWLER

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